

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRED MARTINEZ,

Plaintiff,

v.

HEATH, et al.,

Defendant.

Case No. 2:24-cv-0516-DJC-JDP (P)

ORDER

On October 16, 2025, Plaintiff filed a request for reconsideration of the Magistrate Judge's order filed October 6, 2025, denying Plaintiff's motion for appointment of counsel without prejudice. Pursuant to E.D. Local Rule 303(f), a magistrate judge's orders shall be upheld unless "clearly erroneous or contrary to law." *Id.* Upon review, the Court finds that it does not appear that the Magistrate Judge's ruling was clearly erroneous or contrary to law.

Therefore, IT IS HEREBY ORDERED that, upon reconsideration, the order of the Magistrate Judge filed October 16, 2025, is affirmed, and Plaintiff's motion for reconsideration, ECF No. 40, is DENIED. This matter is referred back to the Magistrate Judge.

IT IS SO ORDERED.

Dated: **November 7, 2025**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE

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